

In The United States District Court  
For The Southern District Of Florida  
Miami Division

David I. Altman,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

6284  
Case No. 00-62854-CR / LENARD

Notice That Action Involves Challenge To Constitutionality Of Statute  
Pursuant To 28 U.S.C. §2403 And Fed. Rules Of Civ. Proc., Rule 24(c)

David I. Altman, the Petitioner in this action, calls to the attention of this Court, pursuant to Rule 24(c) of the Federal Rules of Civil Procedure and Section 2403 of Title 28 of the United States Code, that he challenges the Constitutionality of 18 U.S.C. §2252, 18 U.S.C. §2252A, and 18 U.S.C. §2256.

The Petitioner claims that these statutes are unconstitutional because they are patently ambiguous, because of the dual meaning of the term “visual depictions,” which can be used to describe either legal conduct or illegal conduct interchangeably. The Petitioner has filed a Motion pursuant to Fed. Rule Of Civ. Proc., 60(b)(4), which applies when a judgment is void. The Petitioner avers that the judgment is void because of the unconstitutionality of the statutes in question.

**WHEREFORE:** The Petitioner has submitted Notice to this Court of his averment of unconstitutionality, as required by the Federal Rules and by law.

Respectfully Submitted,

  
\_\_\_\_\_  
David I. Altman, PRO SE  
Reg. No. 55477-004 Durham-B  
Low Security Correctional Institution  
P.O. Box 999  
Butner, NC 27509-0999

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JTA

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**David I. Altman,  
Petitioner,**

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**Case No. 00-62854-CR / LENARD**

**UNITED STATES OF AMERICA,  
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**Notice That Action Involves Challenge To Constitutionality Of Statute  
Pursuant To 28 U.S.C. §2403 And Fed. Rules Of Civ. Proc., Rule 24(c)**

**TO THE ATTORNEY GENERAL OF THE UNITED STATES:**

**TAKE NOTICE** that in the action shown in the caption set forth above, David I. Altman, the Petitioner, has filed a Notice That Action Invloves Challenge To Constitutionality Of Statute in which he raises the issue of the Constitutionality of 18 U.S.C. §2252, 18 U.S.C. §2252A, and 18 U.S.C. §2256.

Accordingly, as required by Section 2403 of Title 28 of the United States Code, this Court certifies that the Constitutionality of the above-referenced statute has been placed in issue, and notifies you that you may, therefore, intervene in this action. If you desire to intervene in this action, you should file your motion to intervene, pursuant to Rule 24 of the Federal Rules of Civil Procedure, within 30 days from the date of this Notice.

Dated: \_\_\_\_\_

\_\_\_\_\_, Clerk  
[printed name]  
United States District Court  
For The Southern District of Florida  
By: \_\_\_\_\_  
[signature]  
Deputy Clerk

**In The United States District Court  
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**Certificate Of Service**

I, David I. Altman, PRO SE, the Petitioner herein, hereby certify that on August 22, 2006, a true and correct copy of the foregoing Notice That Action Invloves Challenge To Constitutionality Of Statute Pursuant To 28 U.S.C. §2403 And *Fed. Rules Of Civ. Proc.*, Rule 24(c) was delivered to Prison Authorities for mailing to the parties below, by placing same in an envelope with first-class postage prepaid affixed thereto, and addressing to:

United States District Court  
301 N. Miami Ave.  
Miami, FL 33128

United States District Attorney  
Kathleen Rice, Esq.  
500 E. Broward Blvd.  
Ft. Lauderdale, FL 33394

I swear under penalty of perjury that the foregoing is true and correct. Executed on August 22, 2006.

Respectfully Submitted,



David I. Altman, PRO SE  
Reg. No. 55477-004 Durham-B  
Low Security Correctional Institution  
P.O. Box 999  
Butner, NC 27509-0999